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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 DAVID TROUPE,

11 Plaintiff,

12 v.

13 GLENDA J LOOMIS,

14 Defendant.

CASE NO. 3:15-CV-05033-BHS-JRC

ORDER DENYING MOTION FOR
SERVICE OF SUBPOENA

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16 The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States
17 Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), and local
18 Magistrate Judge Rules MJR1, MJR3 and MJR4.

19 Plaintiff David Troupe, proceeding *pro se* and *in forma pauperis*, requests the Clerk of
20 Court serve a subpoena on defendant Glenda J Loomis (Dkt. 13). Every subpoena must state the
21 court from which it was issued. Fed. R. Civ. P. 45 (a)(1)(A). Plaintiff must give all parties notice
22 prior to service of a subpoena for production of documents. Fed. R. Civ. P. 45 (a)(1)(4).

23 Here, plaintiff's subpoena does not state the court from which it was issued and was filed
24 on a form for the Eastern District of Washington (Dkt. 14). The Clerk sent notice to plaintiff of

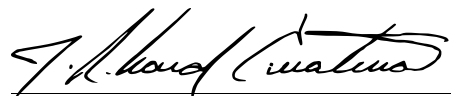
1 this deficiency and provided plaintiff with the Western District of Washington form (Dkt. 16).
2 Therefore, plaintiff's subpoena has not been issued by the Clerk and plaintiff has not given any
3 party notice of his intent to have this subpoena served.

4 Further, the Clerk may issue a subpoena, but it remains up to plaintiff, despite his *in*
5 *forma pauperis* status, to serve the subpoena and to bear any associated costs in accordance with
6 Rule 45 of the Federal Rules of Civil Procedure. Accordingly, the Court denies plaintiff's motion
7 asking the Court to serve his subpoenas (Dkt. 13).

8 Plaintiff also filed a request for clarification and subpoena forms (Dkt. 22). The Clerk
9 provided plaintiff with the requested forms, however, plaintiff is cautioned that a "request for
10 clarification" is not a pleading and will usually not be considered by the Court. If plaintiff seeks
11 clarification of a Court order he should file a motion for clarification.

12 Plaintiff's motion to order service of subpoena (Dkt. 13) is denied. After plaintiff has
13 submitted the subpoena to the Clerk, the Clerk will issue it and return it to plaintiff for service in
14 accordance with Rule 45.

15 Dated this 2nd day of July, 2015.

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18 J. Richard Creatura
19 United States Magistrate Judge
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